

ZB# 73-20

Debra & Robert Kopman

(no SBL given)

Kopman, Debra & Robt. #73-20

Art. III -
Sec. 48.6 A (b)

DrPD - notified
6/11/23.

present to J.T.

File

11/23/23

11/10/23

Kopman, Doris & Robert #13-20

Received 8/14/73 - 64³ 71

PUBLIC NOTICE OF HEARING
THE ZONING BOARD OF APPEALS
 PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33 A of the Zoning Ordinance on the following proposition:
 Appeal No. 20.
 Request of ROBERT and DEBRA KOPMAN for a Variance of the regulations of the Zoning Ordinance, to permit professional offices only, excluding residential use, being a Variance of Article III, Section 48.6 A. (b) for property owned by them situated as follows: No. 339 Blooming Grove Turnpike, Town of New Windsor, N.Y.
 SAID HEARING will take place on the 18th day of June, 1973, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 6:30 o'clock P.M.
 FRED WYGANT, Chairman
 By Patricia Delo, Secretary
 June 8

State of New York
County of Orange, ss:

Olga Trachewsky , being duly sworn deposes and she Principal Clerk says that he is of Newburgh-Beacon News Co., Inc., Publisher of The Evening News. a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published

One Time

 in said newspaper, commencing on the 8th day of June A.D., 19 73 , and ending on the 8th day of June A.D., 19 73

Subscribed and sworn to before me this
 9th day of June 1973

Olga Trachewsky

Patricia Delo

Notary Public of the State of New York, County of Orange.
 MY COMMISSION EXPIRES MARCH 30, 1975

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 73-20

Date: _____

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, N.Y.

I (We) Robert L. & Debra Kopman of 339 Blooming Grove Tpke.

New Windsor

New York

HEREBY MAKE

APPLICATION FOR A VARIANCE:

A. Location of property: 339 Blooming Grove Tpke. (Rt. 94) R-1 Zone

B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance. Article III, Section 48.6 A (b).

C. Note: NECESSARY FINDINGS: Before any Variance is granted, The Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because:

This is the only existing home-office on a residentially zoned area that is surrounded by business and multiple-dwelling property. The situation is magnified by my property's unique shape and location; a triangularly shaped piece of land located on the corner of Caesar's Lane and Route 94. This property has access to a town road in addition to a state highway, and therefore will not constitute a traffic hazard in that it affords clear vision in all directions. Two of the three sides of this property are exposed to road frontage. Out of a total of 630 linear perimeter feet, over two-thirds of this are exposed to the road. This, plus the fact that there are businesses and high density multiple dwelling units in front of, next to and behind us, denies my family and myself the peace and quiet usage of my house as a home. This is also due to the lack of privacy and the resulting road noise and air pollution of a heavily trafficked business area.

The above factors do not apply to any of the neighboring properties in the same zone.

Application Denied
7/16/73.

2. Strict application of the provisions of this ordinance would deprive applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because:

This property would have to be vacated and my dental office would have to be moved at great expense and loss of income, creating an extreme financial hardship if the variance were not granted.

This would deny me reasonable use of this property.

3. The unique conditions and circumstances are not a result of actions taken of the applicant subsequent to the adoption of the ordinance because:

The neighborhood and surrounding area has, over the past five years since opening my office, changed from a quiet country road and residential area to that of a busy, heavily trafficked state highway going through a commercial district (ie: gas stations, new stores, new shopping center, new Post Office and other professional buildings).

These unique conditions are a result of the growth and development that is taking place in the town of New Windsor.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and the intent of this ordinance because:

The overall usage of this property will not change from that of the existing professional usage other than the moving of my family from the property.

There is a definite need for professionals (ie: dentist and physicians) in New Windsor, and the continuation of the already existing professional usage of this property will not be a detriment to the public good but rather will be a definite asset to the community. The property is surrounded by dense housing tracts and multiple housing units with more being planned. These require the services of dentists and

physicians in this location, which will be of great advantage to the area. If a planning service came in and planned a community, central to the multiple housing development units and high density homes would be a medical core building. This constitutes the highest and best use of this property. I might add, that at present, there is no general practitioner physician in New Windsor.

The variance, if granted, will provide a definite asset to the community.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because:

- a. No external changes will be made.
- b. There will be no changes in the general character of the property and it will be exactly the way it is now.
- c. The external appearance of the building and property will still be residential in nature.

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.


The residential part of the building will be divided into two offices.

E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 I & M of the General Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: _____



Signature of Applicant

STATE OF NEW YORK) SS.:

COUNTY OF ORANGE)

Sworn to me this 9th day of June, 1973. 339 Blooming Grove Tpke

New Windsor, NY


ABRAHAM ROTHENBERG
Notary Public, State of New York
Residing in Sullivan County
Commission Expires March 30, 1975

Application No. _____
Date of Hearing _____
Date of Decision _____

Date Received _____
Notice Published _____

DECISION:

Alfred F. Cavalari
ATTORNEY AT LAW
P. O. BOX 276
VAILS GATE, NEW YORK 12584
TELEPHONE AREA CODE 914 JO 1-5969

July 5, 1973

ANTHONY G. AUSTRIA, JR

Mr. Fred Weygant, Jr. Chairman
Zoning Board of Appeals
New Windsor Town Hall
Union Avenue
New Windsor, New York

Re: Robert L. Kopman

Dear Mr. Weygant:

As requested at the public hearing for
variance by Doctor Kopman held June 18, 1973,
kindly advise as soon as a decision is made.
Thank you.

Yours truly,

CAVALARI & AUSTRIA, ESQS.

Alfred F. Cavalari
ec

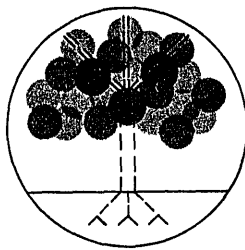
AFC:ec

BY: ALFRED F. CAVALARI

CC: Mr. Armand Belcastro

Department of Planning

Peter Garrison, AIP, Commissioner
Edwin J. Garling, AIP, Deputy Commissioner
(File No. NWT 73-17-M)



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

June 18, 1973

Mr. Fred Wygant, Chairman
New Windsor Zoning Board of Appeals
Forge Hill Road
R.D. #4
Newburgh, New York 12550

Dear Mr. Wygant:

We have reviewed the application of Robert and Debra Kopman for a use variance on Route 94 and Caesar's Lane. Our review was conducted according to Sections 239, 1 and m, Article 12-B of the General Municipal Law.

Our field inspection revealed that the site is bordered on one side by commercial uses (across Route 94), apartments (across Caesar's Lane) and single-family dwellings (adjacent lots). Sight distances in all directions from both curb cuts are excellent. Heavy shrubbery provides seclusion for this property from adjacent residential premises and vice versa.

Normally, we would recommend a rezoning in such a case. In this case, however, the variance procedure may give greater control over this use so that adjacent residences will not be facing a less restricted business use in the future.

County approval is hereby granted.

Very truly yours,

Peter Garrison
Peter Garrison

Commissioner of Planning

PG:mj
cc: Mrs. Patricia Delio
Reviewed by:
E. J. Garling, Dep. Comm.
of Planning

file copy

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550

7 Franklin Ave.
New Windsor, N. Y.
June 10, 1973

Joseph Tallarico, Chairman
Town of New Windsor Planning Bd.
555 Union Avenue
New Windsor, N.Y. 12550

RE: PUBLIC HEARINGS - June 18, 1973

Dear Mr. Tallarico:

Enclosed please find the following applications
for a variance:

Application of Dr. and Mrs. Debra Kõpman

Application of Jaymar Construction

The above hearings are scheduled for Monday evening
June 18th at 8 p.m. and 8:15 p.m. respectively. I also
enclose copy of public hearing notices.

Yours truly,

FORRESTER & TOMASHEVSKI

By: Patricia Delio, Secretary

/pd

Encs.

cc: Howard Collett, Bldg. Inspector



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman

Ellsworth E. Weyant

555 Union Avenue

New Windsor, New York 12550

(914) 565-8808

June 6, 1973

Robert L. & Debra Ann Kopman
339 Blooming Grove Turnpike
New Windsor, New York 12550

Dear Sir:

According to my records, the attached list of property owners are within the five hundred (500) feet of the property in question.

The charge for this service is \$15.00. please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

A handwritten signature in cursive script, reading 'Ellsworth E. Weyant'.

ELLSWORTH E. WEYANT

Sole Assessor

Town of New Windsor.

EEW/pk



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

- ✓ Carione, John & Louise
333 & 335 Blooming Grove Tpke.
New Windsor, New York 12550
- ✓ Silver, Charlotte & Arthur
329 Blooming Grove Tpke.
New Windsor, New York 12550
- ✓ Hoffmann, Philip & Irma
Rigo, Katharina
327 Blooming Grove Tpke.
New Windsor, New York 12550
- ✓ Massa, Ernest & Margaret
323 Blooming Grove Turnpike
New Windsor, New York 12550
- ✓ Policano, Sam & Eleanor
319 Blooming Grove Tpke.
New Windsor, New York 12550
- ✓ Cimorelli, Louis A. & Mary
11 Buttonwood Drive
New Windsor, New York 12550
- ✓ Mazzocki, Donald J.
7 Buttonwood Drive
New Windsor, New York 12550
- ✓ Abbruscato, John F. & Marie
5 Buttonwood Drive
New Windsor, New York 12550
- ✓ Belcastro, Armand L. & Dorothy
192 Caesars Lane
New Windsor, New York 12550
- ✓ Ortone, Edward T. & Kathleen M.
190 Caesars Lane
New Windsor, New York 12550
- ✓ Bozzone, Louis P. & Rina L.
186 Caesars Lane
New Windsor, New York 12550
- ✓ Deluca, Anthony J. & Barbara A.
184 Caesars Lane
New Windsor, New York 12550
- ✓ Sheley, William H. & Marian A.
12 Buttonwood Drive
New Windsor, New York 12550
- ✓ Route 94 Corp. Oakwood Apts.
P.O. Box 32
Newburgh, New York 12550
- ✓ Von Gerichten, Dolores
24 Thayer Street
New York, New York
- ✓ Warmers Construction Corp.
P.O. Box 148
Newburgh, New York 12550
- ✓ Reproco Inc. - Delaware Corp.
Tax Ins. & Claims Dept.
P.O. Box 1918
Columbus, Ohio 43216
- ✓ Caudy, Kenneth R. & Minnie C.
2 St. Anne Drive
New Windsor, New York 12550
- ✓ Kimball, Warren T. & Rosella A.
4 St. Anne Drive
New Windsor, New York 12550
- ✓ Bilzor, Paul B. & Mary Jo
6 St. Anne Drive
New Windsor, New York 12550
- ✓ Krom, George R. Jr. & Donald T.
C/O Windsor Building Supplies
P.O. Box 27
Newburgh, New York 12550
- ✓ Rock-Drake Associates, Inc.
312 Bridge Street
Brooklyn, New York 11201
- ✓ EPG Realty Corp.
13 Garden Drive
Monticello, New York



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman

Ellsworth E. Weyant

555 Union Avenue

New Windsor, New York 12550

(914) 565-8808

✓ Sibar¹⁷⁶³ Corp.
C/O Atlantic Richfield Co.
P.O. Box 7258
Philadelphia, Pa. 19101

✓ Mastropietro, Stephen
581 Floyd Street
Englewood Cliffs, New Jersey

✓ Littler, Stephen T. Jr. & Linda C.
7 St. Anne Drive
New Windsor, New York 12550

✓ Judd, Leon H. & Grace
5 St. Anne Drive
New Windsor, New York 12550

✓ Wright, James C. & Dolores
3 St. Anne Drive
New Windsor, New York 12550

✓ Murray, George C. & Margaret E.
1 St. Anne Drive
New Windsor, New York 12550

✓ Brady, Robert L. & Alice E.
402 & 404 Blooming Grove Tpke.
New Windsor, New York 12550

✓ Panella, Emilio
410 Blooming Grove Tpke.
New Windsor, New York 12550

✓ The American Oil Co.
555 Fifth Avenue
New York, New York 10021

✓ Kullman, Frederic & Doris M.
4 Hearthstone Way
New Windsor, New York 12550

Respectfully submitted,

Ellsworth E. Weyant

ELLSWORTH E. WEYANT

Sole Assessor

Town of New Windsor

EEW/pk

STATE FARM INSURANCE COMPANIES

Forge Hill Road
New Windsor, N. Y.
July 18, 1973

Mr. and Mrs. Robert Kopman
339 Blooming Grove Tpk.
New Windsor, N. Y. 12550

RE: Application for a Variance

Dear Dr. and Mrs. Kopman:

Please be advised that your application for a
variance has been denied by the Zoning Board of Appeals
at their recent meeting of July 16, 1973.

Yours truly,

FRED WIGANT, Chairman

/pd

cc: Alfred Cavalari, Esq.
P. O. Box 276
Vails Gate, N. Y. 12584

C
O
P
Y

Public Hearing JUNE 18, 1973 8:00 P.M.

DR & MRS Debra Kopman

NAME	Address
Wesley Langdon	Carls Bate
Ray Juppert	
John Atkinson	New Windsor
Philip Hoffman	New Windsor
Carol Decker	New Windsor
Ernie Parrella	New Windsor
Allen Holdsworth	New Windsor
Debra Kopman	New Windsor
John & Mary	New Windsor
Gene & Fred	"
Orville Fred	"

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE May 16, 1973

APPLICATION is hereby made for the following:

Agenda ☒ Service

1. Name Debra June Kopman (DR. ROBERT L KOPMAN)
Address 339 Blooming Grove Tpke New Windsor, N.Y.
Telephone number 565-7773

Are you the owner of the property? Yes

2. Briefly describe intention (or attach) and location of property:
Building is presently used as a home and dental office. Due to excessive noise and commercialism of its location its use as a home is limited. It is located at the southeast corner of Rt. 94 and Caesar's Lane, across from Phillips 66
3. PLANNING BOARD we would like to have 2 offices to occupy present home portion of building.
gas station.

Site Plan Preliminary Meeting

Subdivision Preliminary Meeting

Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

8:15 June 18th - Public Hearing
Interpretation of Ordinance or Map
Variance (Notify P/B -plans if necessary)
Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

Planning Board action needed
Z.B.A. action needed
Site plan needed
Subdivision approval needed
Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges

Agenda ☒

Service

1. Name Debra Ann Kopman (DR. ROBERT L KOPMAN)
Address 339 Blooming Grove Tpke New Windsor, N.Y.
Telephone number 565-7773

Are you the owner of the property? Yes

2. Briefly describe intention (or attach) and location of property:

Building is presently used as a home and dental office.
Due to excessive noise and commercialism of its location
it's use as a home is limited. It is located at the southeast
corner of Rt. 94 and Caesar's Lane, across from Phillips 66
gas station.
3. PLANNING BOARD we would like to have 2 offices to
occupy present home portion of building.

Site Plan Preliminary Meeting

Subdivision Preliminary Meeting

Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

8:15 June 18th - Interpretation of Ordinance or Map

Variance (Notify P/B -plans if necessary)

Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

Planning Board action needed

Z.B.A. action needed

Site plan needed

Subdivision approval needed

Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges
applicable under the laws and ordinances of the State of New
York and the Town of New Windsor will be paid and that any
expenses for advertising of Public Hearing or meetings will
be paid. Also any legal or engineering fees for review of this
project.

Signed:

(APPLICANT)

Debra Ann Kopman
Mrs. Robert L. Kopman